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LETTER DATED 18 JUNE 1998 FROM THE PERMANENT REPRESENTATIVE OF CROATIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Upon the instructions of my Government, I have the honour to enclose the Croatian draft text for an agreement between the Republic of Croatia and the Federal Republic of Yugoslavia in which a permanent solution to the security issue of Prevlaka is proposed.

The draft agreement was formally submitted to the Federal Republic of Yugoslavia on 15 June 1998 in Zagreb.

I would kindly request your assistance in distributing the present letter and its annex as a document of the Security Council.

(Signed) Dr. Ivan ŠIMONOVIĆ
Permanent Representative

Annex

Draft agreement between the Republic of Croatia and the Federal Republic of Yugoslavia on the permanent solution of the Prevlaka issue

The Republic of Croatia and the Federal Republic of Yugoslavia (hereinafter the Parties);

Proceeding from the Agreement on Normalization of Relations between the Republic of Croatia and the Federal Republic of Yugoslavia of 23 August 1996, by which they recognize one another as independent, sovereign and equal States within their respective internationally recognized borders,

Recalling the principles embodied in the Charter of the United Nations, the Helsinki Final Act of 1975 and the Charter of Paris for a New Europe of 1990, especially the principle of the inviolability of internationally recognized borders, as well as the opinions of the Badinter Commission of 1991,

Convinced that the resolution of the Prevlaka issue will contribute significantly to economic growth and the development of tourism in the areas of the Republic of Croatia and the Federal Republic of Yugoslavia along the southern border between the two States,

Wishing to contribute to further normalization of their bilateral relations aimed at strengthening peace and security in this part of Europe,

Reaffirming the obligations contained in the agreement on the normalization of relations concerning the resolution of the issue of Prevlaka,

Have agreed as follows:

Article 1

The Parties agree that, in the spirit of good-neighbourly relations and respect for the territorial integrity and sovereignty of both countries, as well as for achieving full security of the part of the territory of the Republic of Croatia in the area of Dubrovnik and the part of the territory of the Federal Republic of Yugoslavia in the area of the Boka Kotorska Bay, the present Agreement shall permanently resolve the issue of Prevlaka.

Article 2

The international border shall be identified, demarcated and marked by a joint Croatian-Yugoslav commission for regulating the southern border between the Republic of Croatia and the Federal Republic of Yugoslavia.

The working methods and composition of the joint commission shall be defined in an annex to this Agreement.

Article 3

The Parties agree that in the interest of creating conditions for better cooperation, freedom of movement and overall economic development along the southern border area between the Republic of Croatia and the Federal Republic of Yugoslavia, the border crossing points at Debeli Brijeg and Konfin shall be opened.

The categorization of those border crossing points shall be regulated at a later date in an annex to the Agreement on the Regulation of Border Crossing Points between the Republic of Croatia and the Federal Republic of Yugoslavia, signed on 15 September 1997.

Article 4

The delimitation at sea between the Republic of Croatia and the Federal Republic of Yugoslavia shall be carried out in accordance with international law, particularly in accordance with the provisions of the United Nations Convention on the Law of the Sea of 1982.

Article 5

With the aim of creating the conditions for the preservation of lasting stability in the area, the Parties agree to carry out demilitarization within a zone two kilometres deep from the international frontier towards the interior of their respective territories.

The Republic of Croatia agrees to temporary asymmetrical demilitarization to a distance of five kilometres from the frontier towards the interior of the Republic of Croatia for a period of five years.

For the purposes of supervision, the Parties shall provide one another direct access to information about the implementation of the demilitarization regime, the modalities of which shall be regulated by an annex to the present agreement.

Article 6

The present agreement shall enter into force on the date of exchange of notifications through diplomatic channels certifying its ratification by the competent authorities of the Parties. The agreement shall be implemented on an interim basis from the date of its signing.

Article 7

The present agreement is done in two originals, in the Croatian and the Serbian languages, both texts being equally authentic.

Signed in _____ day/month _____ year.

For the Republic of Croatia

For the Federal Republic of Yugoslavia